IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL WRIT PETITION NO.4082 OF 1994

Shri Bashir Ahmed Mohmed Hussain Makandar — Petitioner

Vs.

The Kolhapur Municipal Corporation, Kolhapur & ors. — Respondents

Mr.Nitin Pradhan with Ms.S.D.Khot for petitioner.
Mr.D.S.Sawant for resp.nos. 2 and 3.
Mr.A.V.Bukhari with Mr.M.S.Topkar and Mr. B. Bukhari and Mr.Umesh Nabar for resp.no.4.

CORAM: B.H.MARLAPALLE & D.B.BHOSALE,JJ.
May 03, 2006.

P.C.

. For the reasons set out in our judgment in Writ Petition Nos.2611 and 3685 of 1994 and 747 of 1995, this petition also fails and the same is hereby dismissed with same declaration as is made in the said judgment. However, we clarify that the petitioner will be entitled to compete in the fresh selection process that may be undertaken by the respondent - Corporation to fill in the posts of ATI with quota for promotees and nomination as well as the rule for reservation on the basis of the total cadre strength and his crossing the maximum age limit will not be treated to be a disqualification for his selection.

(D.B.BHOSALE,J.) (B.H.MARLAPALLE,J.)